

and the prosecutor presenting the original petition shall be designated as defendant. (1933, c. 224, s. 13; 1935, c. 463, s. 4)

35-49. Appeal costs. The cost of appeal, if any, to the Superior or higher courts, shall be taxed as in civil cases. If the case is finally determined in favor of the plaintiff, the cost shall be paid by the county. (1933, c. 224, s. 14; 1935, c. 463, s. 5.)

35-50. Appeal to supreme court. Any party to such appeal to the Superior Court may within ten days after the date of the final order therein, apply for an appeal to the Supreme court, which shall have jurisdiction to hear and determine the same upon the record of the proceedings in the Superior court and to enter such order as it may find the Superior court should have entered.

The pendency of an appeal in the Supreme court shall operate as a stay of proceedings under any orders of the said board and the Superior court until the appeal be determined by the said Supreme court. (1933, c. 224, s. 15.)

35-51. Civil or criminal liability of parties limited. Neither the said petitioner nor any other person legally participating in the execution of the provisions of this article shall be liable, either civilly or criminally, on account of such participation, except in case of negligence in the performance of said operation. (1933, c. 224, s. 16.)

35-52. Necessary medical treatment unaffected by article. Nothing contained in this article shall be construed so as to prevent the medical or surgical treatment for sound therapeutic reasons of any person in this state by a physician or surgeon licensed in this state, which treatment may incidentally involve the nullification or destruction of the reproductive functions. (1933, c. 224, s. 17.)

35-53. Permanent records of proceedings before board. Records in all cases arising under this article shall be filed permanently with the secretary of the said Eugenics Board. Such records shall not be open to public inspection except for such purposes as the court may from time to time approve. (1933, c. 224, s. 18.)

35-54. Construction of terms. Where the inmates, patients, or non-institutional individuals are referred to in this article as the masculine or feminine gender, the same shall be construed to include the feminine or masculine gender as well. Wherever the term individual resident appears in this article it shall be construed to mean non-institutional individual. (1933, c. 224, s. 19.)

35-55. Discharge of patient from institution. Before any inmate or patient designated in 35-36 and 35-39, shall be released, paroled, or discharged, it shall be the duty of the governing body or responsible head of any institution above mentioned to comply with the procedure set out in this article, whenever a written request for the asexualization or sterilization of said inmate or patient is filed with the governing body or responsible head of the institution in which such inmate or patient has been legally confined. This written request may be made by any public official or